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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
09/730,864	12/06/2000	Glen D. Tindal	CNTW-001/00US	1118

22903 7590 03/06/2006

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EXAMINER

ZHONG, CHAD

ART UNIT PAPER NUMBER

2152

DATE MAILED: 03/06/2006

Please find below and/or attached an Office communication concerning this application or proceeding.

Office Action Summary

Application No.

09/730,864

Applicant(s)

TINDAL ET AL.

Examiner

Chad Zhong

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-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☒ Responsive to communication(s) filed on 13 December 2005.
- 2a) ☐ This action is **FINAL**. 2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 1-6,8-11,25-31,34,35 and 38-42 is/are pending in the application.
- 4a) Of the above claim(s) _____ is/are withdrawn from consideration.
- 5) ☐ Claim(s) _____ is/are allowed.
- 6) ☒ Claim(s) 1-6,8-11,25-31,34,35 and 38-42 is/are rejected.
- 7) ☐ Claim(s) _____ is/are objected to.
- 8) ☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on _____ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some * c) ☐ None of:
1. ☐ Certified copies of the priority documents have been received.
 2. ☐ Certified copies of the priority documents have been received in Application No. _____.
 3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

* See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

- | | |
|---|---|
| 1) <input checked="" type="checkbox"/> Notice of References Cited (PTO-892) | 4) <input type="checkbox"/> Interview Summary (PTO-413) |
| 2) <input type="checkbox"/> Notice of Draftsperson's Patent Drawing Review (PTO-948) | Paper No(s)/Mail Date. _____ |
| 3) <input type="checkbox"/> Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08) | 5) <input type="checkbox"/> Notice of Informal Patent Application (PTO-152) |
| Paper No(s)/Mail Date _____ | 6) <input type="checkbox"/> Other: _____ |

OFFICE ACTION

1. A request for continued examination under 37 CFR 1.114, including the fee set forth in 37 CFR 1.17(e), was filed in this application after final rejection. Since this application is eligible for continued examination under 37 CFR 1.114, and the fee set forth in 37 CFR 1.17(e) has been timely paid, the finality of the previous Office action has been withdrawn pursuant to 37 CFR 1.114. Applicant's submission filed on 12/13/2005 has been entered.

Applicant's remarks filed 12/13/2005 have been considered but are found moot in view of the new grounds of rejection necessitated by Applicant's amendment.

Claim Rejections - 35 USC § 102

2. The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless --

(e) the invention was described in a patent granted on an application for patent by another filed in the United States before the invention thereof by the applicant for patent, or on an international application by another who has fulfilled the requirements of paragraphs (1), (2), and (4) of section 371 (c) of this title before the invention thereof by the applicant for patent.

3. Claims 1-5, 8-11, 25-29, 31, 34-35, 38-42 are rejected under 35 U.S.C. 102(e) as being anticipated by Mandal et al. (hereinafter Mandal), US 6,615,218.

4. As per claim 1, Mandal teaches a computerized method for configuring a network device that includes a local configuration record, wherein the local configuration record is in a format that is understandable to the network device, the method comprising the steps of:

receiving a network-condition notification, wherein the network-condition notification is indicative of a network condition (Mandal, Col. 8, lines 8-12, the database storage system listens to commands/network conditions/messages originating from network devices);

determining a response to the network condition notification (Mandal, Col. 8, lines 15-22, determine how do generate a response dynamically based on the entries received);

retrieving, in response to the determined rezones to the network condition, a central configuration record from a common repository of configuration records (Mandal, Col. 8, lines 20-25, where the corresponding policy is created in a policy storage area), the central configuration record substantially and generically representing the local configuration record of the network device (Mandal, Col. 4, lines 35-45, policy storage area communicates with each devices individually using the device's native protocols, further, policy objects are device neutral, it is Policy Programming Interface – PPI that is communicating with different devices with different protocols);

modifying the central configuration record in accordance with the determined response to the network condition so as to generate a modified central configuration record (Mandal, Col. 8, lines 19-25, new record/entry generated);

storing the modified central configuration record in the common repository (Mandal, Col. 8, line 21, policy storage area is where the modified central configuration record is stored);

generating at least one device-specific command corresponding to the modified central configuration record, wherein the device specific command is in a format that is native to the network device (Mandal, Col. 4, lines 35-45); and

transferring the generated at least one device-specific command via a network to the network device wherein the device specific command includes at least one instruction to change the local configuration record of the router such that a modification in the central configuration record is reflected in the local configuration record, which enables the network device to assist in responding to the network condition (Mandal, Col. 8, lines 25-37).

8. As per claim 2, Mandal teaches the computerized method of claim 1, further comprising the step

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of:

searching the common repository for the configuration record (Mandal, inherent in Col. 4, lines 15-30, where the database record must be retrieved in order to be send out to the appropriate network devices);

wherein the configuration record is one of a plurality of configuration records stored in the common repository (Mandal, Col. 4, lines 15-30).

9. As per claim 3, Mandal teaches the computerized method of claim 1, further comprising the step of:

publishing a message to an event bus (Mandal, Col. 8, lines 30-37);

wherein the published message indicates that the retrieved configuration record has been modified (Mandal, Col. 8, lines 30-37, where command is a direct result of generation, thus, the command directly indicates the retrieved modified configuration record).

10. As per claim 4, Mandal teaches the computerized method of claim 1, further comprising the step of:

verifying that the modified central configuration record complies with a network policy (Mandal, Col. 6, lines 4-8).

11. As per claim 5, Mandal teaches the computerized method of claim 4, further comprising the step of:

publishing a work order to an event bus in response to verifying that the modified central configuration record complies with a network policy (Mandal, Col. 6, lines 10-30; Col. 8, lines 20-37).

12. As per claim 8, Mandal teaches the method of claim 1, wherein the step of generating the at least one device-specific command comprises the steps of:

retrieving a device-specific command template, wherein the device-specific command template comprises at least one variable field (Mandal, Col. 6, lines 8-30, where the policy objects are the variable fields, they contain commands to the individual devices in order to further configure them); and populating the at least one variable field with data included in the modified central configuration record (Mandal, Col. 6, lines 21-30).

13. As per claim 9, Mandal teaches the method of claim 8, wherein the retrieved central configuration record indicates that the network device is from a particular manufacturer, and wherein the retrieved device-specific command template is unique to the particular manufacturer (Mandal, Col. 4, lines 30-45).

14. As per claim 10, Mandal teaches the method of claim 8, wherein the retrieved central configuration record indicates that the network device is a particular device type and wherein the retrieved device-specific command template is unique to the particular device type (Mandal, Col. 4, lines 30-45).

15. As per claim 11, Mandal teaches the method of claim 1, wherein the step of retrieving the central configuration record comprises the step of:

retrieving the central configuration record from a distributed common repository (Mandal, Col. 4, lines 30-45).

16. As per claim 25-29, claims 25-29 are rejected for the same reasons as rejection to claims 1-5 above respectively.

17. As per claim 31, claims 31 is rejected for the same reason as rejection to claim 1 above.

18. As per claim 34-35, claims 34-35 are rejected for the same reasons as rejection to claims 10-11 above.

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19. As per claim 38, claim 38 is rejected for the same reason as rejection to combination of claims 1, 8 and 9 above.

20. As per claim 39-41, claims 39-41 are rejected for the same reasons as rejection to claim 4, 1 and 8 respectively.

21. As per claim 42, the claim is rejected for the same reasons as rejection to claim 4 above.

Claim Rejections - 35 USC § 103

22. The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

23. Claims 6, 30 are rejected under 35 U.S.C. 103(a) as being unpatentable over Mandal, as applied in claims 1 and 25 above, in view Dungan et al. (hereinafter Dungan), US 6,363,411.

24. As per claim 6, Mandal does not explicitly teach the method of claim 1, further comprising the step of:

verifying the successful completion of the step of transferring the generated at least one device-specific command to the network device

Dungan teaches a central repository storing configuration information for local devices, the system will activate business objects in preparation for real time usage, specifically, Dungan teaches:

verifying the successful completion of the step of transferring the generated at least one device-specific command to the network device (Dungan, Col. 31, lines 1-7).

It would have been obvious to the person ordinary skill in the art at the time of the invention to

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incorporate the Mandal with Dungan in order to verify the command has been sent out successfully and to make sure the receiver actually receives the data sent out (Dungan, Col. 31, lines 1-5)

25. As per claim 30, claim 30 is rejected for the same reasons as rejection to claim 6 above

Conclusion

26. The prior art made of record and not relied upon is considered pertinent to applicant's disclosure.

The following patents and publications are cited to further show the state of the art with respect to

“Dynamic Configuration Of Network Devices To Enable Data Transfers”.

- | | | |
|------|------------|--------------------|
| i. | US 6098094 | Barnhouse et al. |
| ii. | US 6170011 | Mcleod Beck et al. |
| iii. | US 6438594 | Bowman-Amuah |
| iv. | US 6567406 | Skemer |
| v. | US 6615166 | Guheen et al. |

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Chad Zhong whose telephone number is (571)272-3946. The examiner can normally be reached on M-F 7:15 to 4:30.

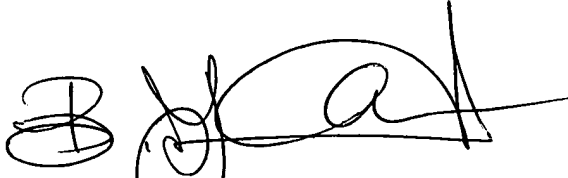
If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, JAROENCHONWANIT, BUNJOB can be reached on (571)272-3913. The fax phone number for the organization where this application or proceeding is assigned is 703-872-9306.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available

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through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).

CZ
March 1st, 2006



BUNJOB JAROENCHONWANIT
SUPERVISORY PATENT EXAMINER